

REMARKS

Applicant has carefully reviewed the Office Action mailed March 19, 2008 and offers the following remarks to accompany the above amendments.

Status of the Claims

Claims 11-18, 31, 32, 34-44, and 50-55 are pending in the present application. Claims 19-30 and 45-49 were previously withdrawn. Claims 1-10 and 33 were previously cancelled. Claims 11-18, 31, 32, 34-39, 41-43, 50, and 53 have been amended to ensure proper antecedent basis. No claims are added or cancelled herein. Accordingly, claims 11-18, 31, 32, 34-44, and 50-55 remain pending.

Rejection Under 35 U.S.C. § 102(e) - Mimura

Claims 11-18, 31, 32, 34-44, and 50-55 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,218,611 B2 to Mimura et al. (hereinafter "Mimura"). Applicant respectfully traverses. For a reference to be anticipatory, the reference must disclose each and every claim element. Further, the elements of the reference must be arranged as claimed. MPEP § 2131. The requirement that each and every element be disclosed in the manner claimed is a rigorous standard that the Patent Office has not met in this case.

Mimura generally discloses a system wherein a user remote from their home can remotely direct a recording apparatus in their home to record a television broadcast. The Patent Office relies heavily on specific teachings of col. 20, line 16 through col. 21, line 42, and Figs. 1, 2a, 2b, 4a, 4b, 5a, and 5b of Mimura to reject various elements of Applicant's claimed invention. Col. 20, line 16 through col. 21, line 42 of Mimura discloses an example wherein a user away from their home determines they neglected to schedule a recording of a television program. The user operates an input device to execute a proxy program, wherein a command, a password, and an identifier are sent to a broadcast apparatus. The broadcast apparatus assembles a command packet from this information and broadcasts the command packet on a broadcast channel. A tuner of a reception apparatus located in the user's home that is tuned to the broadcast channel receives the command packet, verifies that the identifier and password match a pre-stored identifier and password, and if so, schedules the recording. Fig. 1 of Mimura discloses a system including a broadcast apparatus, a base station, an input device, and a reception apparatus. Figs.

2a and 2b of Mimura disclose a data structure of a proxy request. Figs. 4a, 4b, 5a, and 5b disclose a command packet broadcast by the broadcast apparatus.

In contrast to the teachings of Mimura, Applicant's invention generally relates to device discovery. According to one embodiment of Applicant's invention, a first device is provided one or more location identifiers, the user selects one of the location identifiers, and then authenticates with the selected location identifier. The first device is then provided one or more device identifiers associated with the selected location. For example, Applicant's independent claims 11, 31, 41, and 50 each require receiving a location identifier (ID) from a device. Mimura fails to disclose or suggest the concept of a location identifier. Applicant's independent claims 11, 31, 41, and 50 each further require entering a password (or authentication information) associated with the location identifier. Only after successful validation of a password (or authentication information) are one or more device identifiers provided. Nowhere does Mimura disclose or suggest first receiving one or more location identifiers (as required by Applicant's independent claims 11, 31, 41, and 50) and then, only after successful validation of a password or other authentication information, receiving one or more device identifiers. Rather, Mimura discloses a method for programming a previously known device. Thus, for these reasons alone, Mimura cannot anticipate Applicant's claimed invention.

Applicant's independent claim 11 further requires broadcasting a signal including a request for a list of location identifiers. Mimura fails to teach or suggest the concept of location identifiers, and consequently does not teach or suggest requesting a list of location identifiers. Applicant's independent claim 31 specifically requires receiving a list of devices associated with the at least one location ID. Mimura does not disclose multiple devices, let alone multiple devices associated with a location ID. Mimura merely discloses broadcasting a command to a specific previously known device. Applicant's independent claim 41 requires effecting playing of a media item on a device. Nowhere does Mimura disclose one device effecting playing of a media item on a second device. Applicant's independent claim 50 similarly requires selecting, on a first device, a song to be played on a second device. Nowhere does Mimura disclose a first device selecting a song to be played on a second device. For at least these reasons, Applicant urges that Mimura cannot anticipate Applicant's claimed invention, and respectfully requests the rejection be withdrawn.

Claims 12-18, 32-40, 42-44, and 51-55 are dependent claims depending directly or indirectly from claims 11, 31, 41, and 50, respectively. As such, claims 12-18, 32-40, 42-44, and 51-55 are allowable for at least the same reasons set forth above with respect to claims 11, 31, 41, and 50. However, Applicant reserves the right to further address the rejection of claims 12-18, 32-40, 42-44, and 51-55 in the future, if necessary.

Conclusion

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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